

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
CIVIL MINUTES—
GENERAL

Case No. 5:23-cv-01069-SSS-KKx

Date September 19, 2023

Title *Trustees of the Operating Engineers Pension Trust, et al. v. WMB and Associates, Inc., et al.*

Present: The Honorable

SUNSHINE S. SYKES, UNITED STATES DISTRICT JUDGE

Irene Vazquez

Deputy Clerk

Not Reported

Court Reporter

Attorney(s) Present for Plaintiff(s):

None Present

Attorney(s) Present for Defendant(s):

None Present

Proceedings: (IN CHAMBERS) Order to Show Cause re Dismissal for Lack of Prosecution

Generally, each Defendant must answer or otherwise respond to the complaint within 21 days after service (60 days if the Defendant is the United States). Fed. R. Civ. Proc. 12(a)(1).

In the present case, it appears that Plaintiffs served the summons and complaint on one or more Defendants, but such Defendant(s) did not file an answer or otherwise respond to the complaint. Consequently, on August 7, 2023, Plaintiffs requested the entry of default with respect to the applicable Defendant(s) [Dkt. 14], and the Clerk entered default on August 8, 2023 [Dkt.15]. Fed. R. Civ. Proc. 55(a).

The defaulted Defendant(s) have not moved to set aside the default nor otherwise responded in this action. However, Plaintiffs have not moved for the entry of default judgment. Accordingly, the Court, on its own motion, hereby orders Plaintiffs to show cause in writing on or before **October 3, 2023**, why this action should not be dismissed, with respect to each defaulted Defendant. Pursuant to Rule 78 of the Federal Rules of Civil Procedure, the Court finds that this matter is appropriate for submission without oral argument. This Order to Show Cause will be discharged if Plaintiffs file, before the deadline set forth above, a motion

for the entry of default judgment with respect to the applicable Defendant(s).
Fed. R. Civ. Proc. 55(b).

IT IS SO ORDERED.